

NEVADA DEPARTMENT OF CORRECTIONS	SERIES 700 INMATE REGULATIONS	SUPERSEDES: AR 711 (01/21/92) AR 710 (08/30/93)
ADMINISTRATIVE REGULATIONS MANUAL	ADMINISTRATIVE REGULATIONS 711 INMATE PERSONAL PROPERTY TEMP	EFFECTIVE DATE: 09/06/03

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PURPOSE

To prescribe limitations for the volume and type of personal property to be maintained in an inmate's possession.

To provide instructions for safekeeping, disposal or storage of inmate personal property.

To provide for the processing of inmate personal property in a prompt, secure and accurate manner.

To establish procedures and guidelines that will allow inmates to receive packages as well as maintaining the safety/security of the institutions and facilities.

To prevent the introduction of contraband or articles which would constitute a threat to the safety of staff and inmates or to the security of the institution/facility.

To limit the amount of personal property, which may be acquired and retained consistent with available space, health, sanitation and security, needs.

To provide guidelines for procedures for the control of personal property in each institution/facility.

AUTHORITY

NRS 209.241

NRS 209.243

RESPONSIBILITY

It is the responsibility of the Warden/Facility Manager to establish procedures to ensure the appropriate handling and disposition of inmate property.

It is the responsibility of all staff to use common sense and good judgement in dealing with property issues.

It is the responsibility of all inmates to be familiar with proper property procedures.

DEFINITIONS

CONTRABAND –

- Any item or article not authorized by departmental regulations, or in excess of the maximum quantity permitted, or which is received or obtained from an unauthorized source is contraband.
- Any item or article of property that poses a serious threat to the security of an institution and ordinarily never approved for possession or admission into the institution, and any item or article which may be, or has been authorized for possession at one time, but now is prohibited for possession due to health, fire or safety concerns.
- Any authorized property that has been altered.

EXPENDABLE PROPERTY – Property items that, through normal use, are consumed or worn out; items which have been designated as more economical to replace than to repair or salvage.

GENERAL CORRESPONDENCE – Mail between an inmate and someone other than those approved for privileged correspondence.

INDIGENT AT-THE-MOMENT – Those inmates whose trust account balance is \$10 or less at the time of request, but generally maintains a balance of \$10 or greater.

INDIGENT INMATE – Those inmates whose trust account balance is \$10 or less for the entire previous month.

NON-EXPENDABLE PROPERTY – Property items which are not consumed or worn out through normal use; items which have been designated as more economical to repair, rescue, salvage and protect than replace.

PACKAGE – Any item received at the facility/institution, which is not personal mail or general correspondence.

PERSONAL PROPERTY – Items that are legally owned by the inmate and authorized to be retained in his living or storage area.

SEXUAL EXPLICIT/GRAPHIC ACTIVITY - An act of sexual intercourse, fellatio, sodomy, cunnilingus, sado-masochistic abuse, or penetration of any part of a person's body with an object either of a male or female gender. Pornographic activities with a minor, bestiality, or any sexual act, which constitutes a violation of law or encourages a violation of the law, will be considered as sexual activities.

STATE ISSUED PROPERTY – Items that are issued by the institution to an inmate for his personal use and that may be retained by the inmate in his living area. State issue property other than that of a rapidly expendable nature, i.e., toilet paper, soap, toothpaste, etc., are to be clearly identified as state property.

UNAUTHORIZED PROPERTY – Any authorized property listed in AR711, which is considered unauthorized because of space, custody level, etc. of the receiving location.

VALUABLES – Any item worth \$50 or more.

APPLICABILITY

This procedure applies to all staff and inmates that are involved in the handling, recording, and management of inmate personal property, at any point in the inmate's arrival, incarceration or release.

PROCEDURES

711.01 INMATE PERSONAL PROPERTY

1.1 Each institution/facility will develop a procedure consistent with this procedure 711.02, 1.6.

1.2 All Wardens/Facility Managers will identify a specific location where inmate property and property records will be maintained safely and securely **(3-4157)**.

1.2.1 There will be only two (2) keys available to the property room.

1.2.1.1 One (1) key will be in the permanent possession of the appointed property room officer.

1.2.1.2 One (1) key will be maintained in the central control area for emergency use only.

- This key will be considered restricted. Upon issue, staff must log this action.
- Key will be kept in a box with a glass front.

1.2.1.3 Property Room will be secured when designated property room officer is not present.

1.3 Each inmate shall:

1.3.1 Be advised of the personal property items, which may be retained in his possession. This regulation will be made available to inmates during the intake process and when updated. **(3-4279)**

1.3.2 Be provided with a written, itemized receipt of all property at the time it is issued.

1.3.3 Have a permanent personal property file established upon entry into the Department. **(3-4280)**

1.4 Property limit

1.4.1 Inmates may possess personal property not to exceed that, which will fit into one approved footlocker. The inmate through the inmate canteen may purchase one fire retardant box in their current facility. Box size should not exceed 24”X18”X18”.

- No other type of box is authorized.
- Inmates may not accumulate excess property that cannot be properly stored.
- Inmates may only transfer to another facility with one fire retardant box.
- Inmates may possess no more than three (3) appliances such as televisions and fans that do not need to be placed in their footlocker/box when not in use.

1.4.2 Property limitations will be enforced any time movement and inventory of property is required, i.e., placed in more restrictive housing, transferred, etc. It will be the inmate's responsibility to dispose of any excess property per AR 711.

1.4.3 Institutions/facilities will not permit the possession of personal property that is considered contraband.

1.4.4 Inmates may possess approved electrical appliances in accordance with the property limit set forth below.

1.4.5 All property must be stored neatly.

1.4.6 Displays of photographs, etc., will be restricted to the inside of the state provided locker; and/or where feasible, to a designated 24"X24" wall space area; and/or where feasible, to the top of the state provided lockers or shelves. Display of sexually explicit/graphic activities is not permitted. Display of any type of nudity or partial nudity is prohibited.

1.5 Liability

1.5.1 All non-expendable property, legally acquired by an inmate while in the Department, is to be recorded on the Inmate's Personal Property Card (DOC-1520) by the property officer. **(3-4281)**

1.5.1.1 The value of all non-expendable property and the inmate's signature must appear after each entry on the Inmate's Personal Property Card.

1.5.1.2 The inmate is held accountable for all personal property so recorded.

1.5.1.3 When an inmate is transferred from one institution to another, the Personal Property Card will be sent with the inmate.

1.5.2 The Department accepts no liability for the theft, loss, damage or destruction of such property through the intentional, willful, or negligent act or activities of any inmate, which exposes such property to loss, damage, theft, or destruction.

1.5.3 If the Department accepts responsibility for the loss or destruction of an item of personal property, payment for any claim of loss or damage to the property shall be limited to the declared value, less depreciation, of the lost or damaged item.

1.5.3.1 Item must be registered on the Inmate's Personal Property Card.

1.5.3.2 The aggregate total amount of payment for any claim of loss or damage to inmate personal property shall in no event exceed \$500.00.

1.5.3.3 Inmate must be able to demonstrate continuous ownership.

1.5.3.4 Inmate property claims will be processed per 711.03.

1.6 Responsibility

1.6.1 When an inmate is placed in more restrictive custody or otherwise prevented from returning to his quarters to control his own personal property, correctional personnel will assume responsibility for the inventory and storage of an inmate's property once they take possession of the property.

1.6.1.1 The staff on duty at the time the inmate is moved will be responsible for taking control of the inmate's property as soon as possible.

1.6.1.2 Whenever possible a supervisor of at least the rank of Senior Officer, if available, and the inventorying officer will both inventory the property, sign the inventory sheet, and secure the containers in accordance with this regulation.

1.6.1.3 Once the property is inventoried and packaged, the property will either be transferred to the inmate's current location or to a secure place designated for property storage.

- A copy of the inventory will be supplied to the inmate.

1.6.1.4 When the property is delivered to the inmate, the officer must check the property against the original inventory in the presence of the inmate.

- If a discrepancy is noted, a written report will be prepared and submitted to the Warden/Facility Supervisor by the inventory officer.
- The inmate shall sign the inventory at the bottom indicating that he has inventoried and received all of his property.
- Any discrepancies will be noted on the inventory form.

1.6.1.5 When time permits, staff will compare the items on the inmate's property card with the property in the possession of the inmate.

1.6.2 Handling of inmate property during routine housing changes

1.6.2.1 The inmate who owns the property will move his property himself on most occasions. If the inmate is unable to move the property during a housing move, staff will move the property with the inmate.

1.6.2.2 Inmate property does not have to be inventoried for a routine housing change, unless the inmate will not be allowed to keep all or part of his property as a result of the move. In these instances, an inventory of the unauthorized items must be completed.

1.6.2.3 Inmate property is to be moved with the inmate at the time of a housing move, except as outlined in this regulation.

1.6.3 Inmates will not be involved in the movement, inventory, storage or handling of another inmate's property.

1.6.3.1 Under no circumstances will an inmate enter, be assigned in any manner to the property room, including porters.

- Inmates may enter only to pick up or turn in property or discuss property issues.
- These activities must occur in a secure area where the inmate has no access to any other inmate property.

1.6.4 Each employee will be held strictly accountable for the inmate's property when they:

1.6.4.1 Sign a Property Transfer receipt;

1.6.4.2 Receive the property and transfer it (transportation officer);

1.6.4.3 Receive the property at the destination and sign as receiving it.

1.7 Transferring or loaning of property between inmates is not permitted.

1.8 Inmate Personal Property Cards (DOC-1520) will list all non-expendable property items (3-4281).

1.8.1 Each item will be listed and the value indicated. The inmate must sign after each entry.

1.8.2 The value of any item cannot exceed the limits contained within this regulation.

1.8.3 Inmate personal property cards will be stored and secured in the property room.

1.8.4 Those routinely doing property inventories will be familiar with proper property procedures.

1.9 Inmates who report non-expendable property lost or stolen must wait six months from the time it has been reported stolen, lost, or broken, to replace the item with a similar one unless other evidence is available to independently verify this claim. It is the responsibility of the inmate to immediately report any property that has been lost, stolen, or broken.

1.10 No items are authorized to be sent out for repair except under warranty.

1.10.1 Items that break and are irreparable will be disposed of by institutional procedure.

1.10.2 Items sent out for warranty service will not be exchanged for a different make or model. No exceptions.

711.02 INMATE TRANSFERS

1.1 Transportation officers are expected to give the institution or facility an estimated time of arrival in order that the institution/facility can make every effort to expedite the transfer.

1.2 When An Inmate is Transferred Between Institutions/Facilities.

1.2.1 It is the responsibility of the sending institution/facility to cause the inmate having property in excess of this regulation, or unauthorized: **(3-4281)**

- To either donate said property to a charitable organization, mail out at inmate's expense or disposed by staff.
- Staff will confiscate and dispose of property with no ownership established.
- In addition, when an inmate is transferred, his Personal Property Card, Property Inventory Sheet and property file are to be updated and accurately reflect the property accompanying the inmate.
- Procedures in 711.02, 1.6 will be followed in disposing of all property.

1.2.2 An inmate who is being transferred between institutions/facilities is limited to:

- One duffle bag
- One fire proof box (no substitutes)
- Three appliances that do not fit in their duffle bag or box
- Legal work, limit 50 lbs per box (boxes must be purchased by inmates)

1.2.3 Only the Assistant Director/Operations is authorized to make any exceptions to item 1.2.2 above.

1.2.4 When an inmate is transferred, articles that may be in the inmate's possession during transport are limited to any medically authorized items (i.e., braces) and KOP medications.

1.2.4.1 All other property will be inventoried and properly secured.

1.2.4.2 The inmate property will be kept separate from the inmate during transport.

1.2.4.3 When an inmate is presented for transfer with property on his person other than as authorized by this regulation, the property will be left at the sending institution.

1.2.4.4 The unauthorized property will be secured in the property room of the sending institution.

- The property will not be forwarded to the receiving institution at a later date.
- The property will be disposed of per 711.02, 1.6 of this procedure.

1.2.5 The officer will check the property against the original inventory in the presence of the inmate.

1.2.6 When the Department's bus is not able to get all property on board, a van traveling on the same trip series will transport the excess property.

1.3 When an inmate is temporarily transferred between institutions/facilities of the Department for court or medical reasons:

1.3.1 All personal property within the limitations given by this regulation will be sent with the inmate.

1.3.2 The only exceptions to this procedure are as follows:

- Inmates who are transferred on a temporary basis for less than seventy-two (72) hours,
- Inmates who are transferred directly to a jail for court.
- In these instances, the property will be stored at the sending institution/facility. Personal hygiene items will be provided to the inmate by the receiving institution.

1.4 If an inmate is transferring out of state for any reason for longer than 30 days, only the property allowed at the receiving state will be sent with the inmate.

1.4.1 All excess property will be donated to a charitable organization, mailed out at their own expense or properly disposed of per 711.02, 1.6.

1.4.2 In all instances where an inmate is transferred to another jurisdiction, the property will be sent in boxes; state owned storage lockers will not be sent:

- If the transfer is for court, property will not be sent. Property will be held until returned by the sending institution.
- If the transfer is voluntary, the inmate will be responsible for the cost of postage to mail these items.
- If the transfer is involuntary, the Department will pay the cost of postage to mail the property to the inmate.

1.5 The sending institution/facility property officer will be responsible for securely sealing and inventorying all inmates' property in the presence of the inmate.

1.5.1 All property discrepancies shall be noted and clarification requested by the last person accepting the property.

1.5.2 In instances where the inmate cannot be present when his property is inventoried, then a supervisor and the inventorying officer will both inventory the property, sign the inventory sheet and securely seal the containers.

1.5.3 Approved plastic seals will secure all footlockers/duffle bags.

1.5.4 All boxes will be taped closed and tagged on the end with the name and identification number of the inmate and the number of cartons.

1.5.5 The quantity of each item will be stated on the inventory, i.e., 3 shirts, 2 pants, etc.

1.6 The property officer of the sending institution/facility should list and explain on the Property Inventory Transfer Sheet all property items that have been confiscated, destroyed, or not accounted for prior to transfer.

1.6.1 A signed copy of DOC Form 1517 Unauthorized Property Notification should accompany the inmate's Property Inventory Transfer Sheet.

1.6.1.1 If the inmate is unwilling to sign, this fact will be noted and witnessed by staff.

1.6.1.2 If the inmate is transferred under emergency circumstances and is unable to sign DOC Form 1517, the form will be forwarded to the Property Officer of the receiving institution to get the inmate's signature.

- The timeframe for the inmate to dispose of the unauthorized property begins when the signed form is received back from the receiving institution.

1.6.2 If the inmate contests this action through AR 740, Inmate Grievance Process, the property will be held until the grievance process is completed.

1.7 Whenever an inmate's packaged property is transferred from one official to another for whatever reason, i.e., transfer to another institution/facility, etc., the receiving employee must sign the Property/Transfer Manifest Form (DOC 1863).

1.8 When an inmate is transported from another jurisdiction other than an institution/facility of the Department, i.e., air transport from another state, it is the responsibility of the transportation officers to thoroughly search and inventory the property (using DOC-1757 Form) prior to transport.

1.8.1 The inmate will be allowed to keep two (2) cubic feet of authorized Department property to include clothing on their person, valuables, money and legal work.

1.8.2 The Department will provide an appropriate container for this purpose.

1.8.3 Inmates will not be allowed, however, to keep any non-prescription medications or personal hygiene, cosmetic or consumable items.

1.8.4 Excess and/or unauthorized property will be turned over to the sending authorities for their proper disposition as soon as possible.

1.8.5 Transportation officers are only relieved of the responsibility of searching and inventorying property when the property has already been searched and inventoried by a Department employee.

1.8.6 The Offender Management Division of the Department will inform, in writing, the other jurisdiction of the property limits addressed herein upon approval of the transfer.

1.9 With the exception as outlined in this regulation, Department transportation officers and receiving property officers will be responsible for the total number of unopened packages transported and received.

1.9.1 The unopened package must contain an inventory sheet signed by the sending institution.

1.9.2 When there is more than one container for an inmate's property, it is only necessary to have one inventory sheet in one of the containers; however, the container containing the inventory sheet is to be clearly marked.

1.9.3 The Property Transfer Manifest Form DOC-1863 will be furnished to the transporting officers.

1.10 When security of packaged property appears to have been or in fact has been breached, the property will be inventoried by the receiving institution and transportation trip commander in the presence of the inmate.

1.10.1 If there are no discrepancies, the property will be issued.

1.10.2 If there are discrepancies, the property will be sealed and impounded by the receiving institution and the sending institution notified as soon as practicable.

1.10.3 Within three working days a written report will be submitted to the receiving institution.

1.10.4 It is the responsibility of the sending institution to submit a written report to the receiving institution in explanation of the circumstances. Upon receiving the report, the receiving institution shall determine what to do with the other property.

1.11 It is the responsibility of the sending institution's shift supervisor to be certain that no inmate is present for transfer who has more property than described in this regulation.

1.12 It is the receiving facility/institutions responsibility to verify what articles are authorized and those items considered unauthorized at that institution.

1.12.1 Both indigent and "indigent-at-the-moment" inmate qualify for indigent postage for unauthorized valuable property.

1.12.2 Inmates must sign a brass slip before receiving the service to ensure the State is reimbursed once the funds are available.

1.12.3 The brass slips will be forwarded to Inmate Services for processing.

1.12.4 Inmates required to send property out during the initial intake process (NNCC and HDSP) are required to complete a brass slip for postage.

711.03 INMATE PERSONAL PROPERTY CLAIMS

1.1 The Department will consider compensating inmates for lost, damaged, stolen, or destroyed personal property through the inmate grievance process (AR 740) only under specific substantiated circumstances involving:

1.1.1 Employee negligence or other failures to observe Department regulations.

1.1.2 Property abuse resulting in direct damage by Department employees.

1.1.3 Property lost, stolen, or misplaced with direct responsibility attributable to Department employee.

1.2 Claims recommended for payment will be limited to the declared value, less depreciation of the lost or damaged item as registered on the inmate property card.

1.2.1 The aggregate total amount of payment for any claim of loss or damage to personal property shall, in no event, exceed \$500.00.

1.2.2 Establishment that property damage or loss occurred and establishment of authorized ownership of the property by the inmate is necessary. The burden of proof rests with the inmate to establish that the property was lost or devalued.

1.2.3 Establishment of the specific Department employee(s) responsible for the abuse, or establishment of direct State obligation regarding protection against damage, loss,

misplacement or theft, and adherence to the property claims procedure by the inmate presenting the claim.

1.3 Claims not recommended for payment

1.3.1 Claims based upon allegations of loss or damage from the actions of persons, other than staff members, who are unknown or unidentified will not be recommended for payment under any circumstance.

1.3.2 Under no circumstance will a claim be recommended for payment which is based upon alleged loss or damage sustained due to failure of the inmate to use proper and reasonable care and diligence to safeguard and protect property allegedly lost or damaged, such as leaving it abandoned in his assigned area, in the possession of any other person or otherwise. The primary responsibility for safeguarding authorized personal property lies with the inmate at all times when it has not been taken from his possession by a staff member.

1.3.3 No claim will be recommended for payment that is based upon loss of or damage to any item not registered on the inmate personal property card. Inmates must be able to prove continuous ownership.

1.4 When an inmate or former inmate believes the State is responsible for the loss of or damage of his personal property.

1.4.1 It is the inmate's responsibility to file an inmate grievance along with the Inmate Personal Property Claim Form DOC-3026.

1.4.2 The claim must be completed and filed through the inmate grievance process with property claim form and relevant documentation attached to the grievance.

1.5 In the event property reported as lost is located and returned to the inmate or a settlement is made with payment in kind or use of donated or confiscated property, the inmate is required to sign a Property Claim Release Agreement DOC-3027.

1.6 If at any level of review the claim is considered to have no merit the original copy of the property claim form together with the Department's findings will be returned to the inmate denied.

1.7 If it is determined at any level of the grievance procedure that the State is responsible for the loss of or damage to the property in question, the conclusion along with the original copy of the property claim form and all supporting evidence, will be forwarded to the Assistant Director/Support Services, with a DOC Stores Requisition for payment coded to the applicable institution/facility, Category 04 GL 7195, Inmate Property Claims. If the claim is less than \$500.00, the Assistant Director will effect payment.

1.8 If the claim exceeds \$500 the Assistant Director/Support Services will forward the inmate's claim to the Ex Officio Clerk of the State Board of Examiners with a recommendation for payment (either favorable or unfavorable). In addition he will notify the inmate of the date the claim was forwarded to the Board of Examiners.

1.9 The inmate is required to sign a Property Claim Release Agreement DOC Form 3027 acknowledging receipt of payment for property identified in the property claim form for all approved claims.

1.10 If an inmate has filed and is proceeding with a civil action for the loss of his property, the Office of the Attorney General must initiate and conduct all negotiations for settlement relating to that action.

1.10.1 The Office of the Attorney General will forward all questions regarding the civil action to the institution/facility who will provide assistance as necessary.

1.10.2 The institution/facility will keep the Assistant Director of Support Services informed of the status of the claim.

1.10.3 The Director/designee will notify the Office of the Attorney General of his recommendation concerning the civil action.

1.11 Method for establishment of employee responsibility for abuse or damage of inmate property:

1.11.1 Department employee's admission of responsibility; or,

1.11.2 One employee witness to the abuse or damage to inmate property;

1.11.3 Other means of establishment may be considered on an individual basis.

711.04 PERSONAL PROPERTY RESTRICTIONS FOR NEW COMMITMENTS AND PAROLE VIOLATORS

1.1 Department Transportation Officers will transport all personal property when transporting new commitments from the county jail.

1.1.1 Any unauthorized items will be disposed of by the receiving institution per AR 711.02, 1.6.

1.1.2 Inmates will be required to complete a brass slip for postage.

1.2 All items received with the inmate will be searched, inventoried and placed in the inmate's property record prior to issue.

1.3 Items authorized to bring to intake centers may be restricted at other facilities by type and amount.

711.05 IMMIGRATION AND NATURALIZATION SERVICE (INS)/U.S. MARSHAL PROPERTY TRANSPORT RESTRICTIONS

1.1 All Department inmates transferring to INS custody will be limited to the amount of property allowed to be transported with them.

1.1.1 Property not to exceed 40 pounds

1.1.2 Only the following electrical appliances will be transported:

- Television sets
- Electrical razors
- Fans
- Calculators
- Radios
- Typewriters
- Tape recorders

1.1.3 All unauthorized items will be donated to charity, destroyed or mailed out at their expenses per 711.03, 1.6.

1.2 Inmates transferring to the U.S. Marshal's custody will only be allowed to take legal materials.

1.3 Institutional/facility staff will notify all inmates schedule for release to INS/U.S. Marshal of these restrictions.

711.06 HANDLING/DISPOSAL OF INMATE'S PROPERTY UPON ESCAPE

1.1 The Department will not be responsible for any loss or damage of property of those inmates who escape from custody.

1.2 All property of inmates who escape will be immediately confiscated, searched, inventoried, and placed in evidence or property room, i.e., in a secure area.

1.3 If an inmate is not returned to the custody of the Department within seventy-two (72) hours, and the property is not being held for evidence, the property will be disposed of after 30 days.

1.3.1 This disposition could include:

- Destroy
- Return to state (if state property)

- Given to charity

1.3.2 The Warden/Facility Manager should submit, in writing, instructions for disposing of this property to the property staff.

1.4 DOC Form 1773 (NDOC Inmate Inventory Transfer) - The property staff, in all instances, will complete this form when staff disposes of property of inmates on escape status.

1.4.1 A copy of this report will be forwarded to the offender's I-File.

1.4.2 The original will be kept in the offender's property file.

1.5 Property placed in evidence will be handled per A.R. 458, Crime Scene Protection, Preserving, Gathering, and Disposal of Evidence.

711.07 HANDLING/DISPOSAL OF INMATE PROPERTY UPON DEATH

1.1 All property will be secured by staff, inventoried, and placed in a secure area.

1.2 Refer to AR 420, Inmate Death or Serious Injury Procedure for final disposal of property.

711.08 AUTHORIZED INMATE PERSONAL PROPERTY (3-4280)

1.1 Appliances (non-expendable property)

1.1.1 Limitations may be imposed at institutions/facilities consistent with the security needs of the institution.

1.1.1.1 Inmates must be informed of these limitations.

1.1.1.2 Items are purchased at the inmate's own risk.

1.1.2 All appliances must be purchased through the Inmate Canteen.

1.1.2.1 All appliances purchased will be sent to the property officer for inspection prior to being issued to the inmate.

1.1.2.2 All appliances will be properly secured prior to being delivered to the inmate so that any tampering by inmates may be noted.

1.1.2.3 The inmate's identification number will be engraved on the appliance before issuance to the inmate. Institutional Procedures may reference additional information engraved such as name, date of purchase, etc.

1.1.2.4 The cost of the item at the time of purchase, and the date of purchase, will be entered on the Inmate's Personal Property Card, signed by the inmate, prior to receiving the items.

1.1.3 Unless otherwise noted, only one item per inmate noted below is allowed.

1.1.3.1 Portable Radio AM/FM only, with built-in antenna (non-expendable property)

- No detachable speakers
- May be combined with a television or clock
- Must have earphone jack
- No external antennas are authorized
- No internal or external recording capabilities or short wave bands
- May be in combination with cassette player

1.1.3.2 Television set, black/white, or color cable ready or cable adaptable (non-expendable property)

- Television antenna not allowed
- May be in combination with AM/FM radio
- Must be transistorized type with earphone jack
- No remote control devices of any type
- Maximum size 13" /100 Watt

1.1.3.3 CD player, portable (non-expendable property)

- No detachable speakers
- May be radio/CD combination
- Must have earphone jack and earphones
- No short-wave bands
- No internal or external recording capabilities

1.1.3.4 Typewriter, electric, non-memory (non-expendable property)

- No personal computers
- No word processors
- No memory typewriters

1.1.3.5 Electric fan, U.L. approved, maximum diameter 10" (non-expendable property)

- Plastic blade only
- No metal parts

1.1.3.6 Reading lamp (non-expendable property)

- UL approved
- No metal bases
- Maximum extended length not to exceed 18", excluding cord

1.1.3.7 Hot pot (non-expendable property)

- UL approved
- No crock pot or submergible heater "stingers" allowed

1.1.3.8 Clock, digital or analog mechanical wind-up clocks (non-expendable property)

-

1.1.3.9 Shavers, electric and/or cordless (non-expendable property)

1.1.3.10 Extension cord, three-wire conductor, UL approved, non-metal, 6-foot maximum and circuit breaker protected (non-expendable property)

1.1.3.11 Headphones

- No metal parts

1.1.3.12 Additional items allowed for female inmates only (non-expendable property)

- Electric curlers
- Curling iron/brush
- Electric hairdryers (non-expendable property)
 - UL approved
 - 1600 Watt maximum

1.1.6 Pre-recorded compact disc (non-expendable property)

1.1.6.1 In order to possess this item, an inmate must have a compact disk player.

- Compact discs are considered expendable
- Total not to exceed 12 combined CD or cassettes
- No blank discs allowed
- No metal cases or pieces
- One dry head cleaning CD permitted in addition to 12 discs
- No cassettes allowed

1.2 Musical instruments may be authorized at medium or below security institutions/facilities, at the discretion of the Warden (non-expendable property).

- No cumbersome instrument, i.e., bass viola, drums, etc
- All musical instruments will be considered non-expendable property
- Exchange of strings for string instruments will be permitted on a one-for-one basis

NOTE: MUSICAL INSTRUMENTS WILL NOT BE TRANSPORTED IF AN INMATE IS TRANSFERRED TO ANOTHER FACILITY.

1.3 Jewelry (non-expendable property)

1.3.1 Total aggregate value will not exceed \$200.00.

- The Department is not responsible for any value over \$200.00.

1.3.2 Watch, one wrist

1.3.2.1 No settings/stones

1.3.2.2 Value not to exceed \$50.00

1.3.3 Ring, one wedding band type only

1.3.3.1 No settings/stones

1.3.3.2 Value not to exceed \$50.00

1.3.4 Religious medals and chains

1.3.4.1 Value not to exceed \$50.00.

1.3.4.2 Not to exceed more than two chains with two religious medallions.

1.3.4.3 No setting or stones

1.3.4.4 No gang symbols allowed

1.3.5 Earrings

1.3.5.1 Earrings of any type are not authorized

1.4 Personal equipment (expendable property)

1.4.1 Any item purchased in a Department inmate canteen, which is allowable at the institution/facility where the inmate is housed.

1.4.3 Safety razor

1.5 Ten personal books, including legal and religious books, are the maximum amount authorized. Books received through the mail must follow AR 750.07

1.6 Authorized Religious Material. See AR 810, Access to Religious Programs

1.7 Personal Clothing (expendable property)

1.7.1 All articles of exterior male or female clothing must be a shade of blue – this does not apply to inmates housed in restitution centers.

1.7.2 Male inmates are not permitted to have female clothing, and visa versa.

1.7.3 Authorized Clothing

- No lettering, logos, or nylon
- Sweatshirts-pullover type only, sweatpants, sweat suits, jogging suits - no hoods, limit two
- Jeans, blue denim only, limit five
- T-shirts/athletic shirts, white or shade of blue, no lettering or logos, limit ten
- Boxers/briefs, white or shade of blue, limit ten
- Athletic shorts/trunks – blue, gray, limit one
- Long underwear, white or gray, limit two
- Socks, neutral colors, limit ten
- Belts, plain black or brown, limit one
- Buckles (attached to belt), not to exceed 2”X2” maximum weight not to exceed 1 ½ ounces. Must have blunt edges. Only Garrison D-ring type style, limit one
- Dress shirts, no logos, pictures or printed lettering, limit five
- Sweater, no logos, pictures or printed lettering, limit two
- Light jacket or coat, plain blue denim only (Levi type) button or snap only, no logos, pictures or printed lettering, limit one
- Robe, blue or gray only, limit one
- Pajamas, blue or gray only, limit one set
- Suspenders, limit one
- Baseball caps, blue only – no logos, pictures or printed lettering, limit one
- Knit watch cap, blue only – no logos, pictures or printed lettering, limit one
- Additional items allowed for female inmates
 - Undergarments – including bras, white only
- NOTE: Amounts exceeding the limits possessed by inmates on the effective date of this regulation will be allowed to be kept by inmates until transferred, released, or placed in more secure housing.

1.7.4 Footwear (expendable property)

1.7.4.1 Athletic shoes, limit two

- No pump up shoes
- No metal
- Shoes must be predominantly black, gray, or white

1.7.4.2 Dress shoes, limit one

- Black only
- No metal

1.7.4.3 Other authorized footwear, limit one

- Slippers/sandals
- Shower thongs
- Women's dress footwear
 - Gender appropriate
 - No heels
 - Black only
 - Boot-no metal shanks
- Boots, black only, no metal, 6" height

1.8 Other items authorized (expendable property)

1.8.1 Blankets – blue/gray only, limit two

1.8.2 Sheets – stripes or prints only, limit two sets

1.9 Magazines overall total not to exceed ten (expendable property)

1.10 Restrictions may be placed on items available for inmate purchase pending custody, assignment, and/or location.

1.11 Items sold in the Canteen will follow restrictions on type and color.

1.12 INMATES PURCHASE ALL ITEMS AT THEIR OWN RISK.

- **Upon transfer to another institution, inmates will be required to dispose of all property not permitted at the receiving institution.**

711.09 GENERAL PACKAGE PROCEDURES (UNLESS OTHERWISE SPECIFIED IN THIS PROCEDURE, ALL PACKAGES REQUIRE PRIOR APPROVAL)

- 1.1 No incoming packages will be authorized unless the inmate has made satisfactory disposition of any pending unauthorized property.
- 1.2 All package approvals are valid for only ninety (90) days from approval date, except as noted in AR 711.10.
 - 1.2.1 Packages received after 90 days will be returned to sender unopened.
 - 1.2.2 Inmates will be notified in writing of this action.
 - 1.2.3 Packages shall be distributed within three working days of receipt. **(3-4437)**
- 1.3 The inmate grievance process will be utilized by inmates to appeal staff decisions.
 - 1.3.1 During the grievance process any item of property in dispute will be held pending final resolution of the grievance.
 - 1.3.2 Upon completion of the grievance process the grievance coordinator will contact property staff with instructions for the disposition of the property.
- 1.4 If an inmate is transferred to another facility prior to any approved package being received, the package will be forwarded, unopened, to the receiving institution via carrier.
 - 1.4.1 If an inmate is released, the package shall be forwarded if an address is available.
 - 1.4.2 If not, the package shall be returned to sender. **(3-4438)**
 - 1.4.3 Only authorized property at the receiving institution will be issued.
- 1.5 All packages will be opened and inspected for unauthorized and contraband items. All non-expendable property will be registered on the inmate's property card DOC Form 1520 prior to issuing to the inmate. **(3-4435)**
- 1.6 Any unauthorized items received will be placed on an Unauthorized Property Notification Form DOC 1517 for disposition.
 - 1.6.1 If the inmates is housed in segregated housing and a package is received that is not allowed in segregation it will be placed on DOC Form 1517 –Unauthorized Property Notification Form.
 - 1.6.2 Item will be stored if the inmate will be moved out of segregated housing within 30 days.
 - 1.6.3 Inmates who are out-to-court for longer than 30 days, packages will be returned unopened to sender. **(3-4437)**

1.6.4 If unauthorized items are received along with authorized items all authorized items in the package will be issued to the inmate.

1.6.5 The Warden/designee will review all other circumstances on a case-by-case basis.

1.6.6 Procedures set forth in 711.09, 1.3 will be followed if contraband discovered is of a criminal nature.

1.7 All packages from an unauthorized source or not receiving prior approval, when required, will be returned, unopened, to sender. If expense is incurred in this process, the inmate is responsible for payment of these costs.

1.8 In exceptional circumstances with the approval of the Warden/Facility Manager, packages may be received without following these procedures. This authority cannot be delegated.

1.9 Legal packages (documents only) do not require prior approval, however, must be sent by a legal representative. No legal supplies are authorized.

1.10 All institutions may vary inmate access and scope to this program based on security needs and level system.

711.10 INMATE PERSONAL CLOTHING/FOOD PACKAGES

1.1 Each inmate is allowed two (2) personal clothing/food packages per year.

1.1.1 One package of each type is allowed December 1st through January 31st, and May 1st through June 30th.

- Items cannot be ordered prior to start dates.
- Items will only be accepted two weeks after the end date.
- Order date on the invoice must be within the package timeframe in order to be accepted.

1.1.2 All clothing items must comply with AR 711, Inmate Personal Property and institutional procedures at the inmate's current location.

1.1.3 Total packages may not exceed \$300.00 in value, excluding taxes and postage in each period.

- Clothing packages may not exceed \$200.00
- Food packages may not exceed \$100.00

1.1.4 All packages must be prepaid.

1.1.5 All packages must be sent from the approved vendor distribution center.

- 1.1.6 Pre-approval is not required for these clothing/food packages.
- 1.1.7 Inmates serving a disciplinary segregation, detention or austere housing sanction at any time during this cycle are not eligible to order or receive personal clothing/food packages. In addition:
 - 1.1.7.1 Inmates who are pending a major or work release disciplinary action will be considered ineligible for this program until the disciplinary is resolved.
 - 1.1.7.2 The restriction of clothing/food packages through the inmate disciplinary process is not an approved sanction.
 - 1.1.7.3 Inmates who have unauthorized property pending disposal will not be eligible for these packages until the inmate disposes of the unauthorized property.
- 1.2 All incoming packages must be opened and inspected for contraband prior to being issued to the inmate.
 - 1.2.1 If the inmate is not authorized to receive a package, the package will be returned to the vendor or the outside party who ordered the package. Any expenses will be the responsibility of the inmate.
 - 1.2.2 Items not approved under AR 711 and institutional procedures will not be issued to the inmates. No items may be substituted for authorized catalog items.
 - 1.2.2.1 Approved items will be given to inmate.
 - 1.2.2.2 Items not approved will be sent out at inmate's expense or disposed of by staff. NDOC Form 1517, Unauthorized Property Notification, will be utilized for all unauthorized items.
- 1.3 If items of a criminal nature are discovered in the package, the entire package will be confiscated by staff.
 - 1.3.1 Disposition of package will be determined by nature of contraband discovered.
 - 1.3.2 Notice of Charges may be written on the inmate receiving the package.
 - 1.3.3 Inmate will be notified in writing of this action.
 - 1.3.4 The inmate may be restricted from receiving any further clothing packages.
- 1.4 If authorized items are back ordered, these items will be accepted after the scheduled time frame. Mail Room Officers and/or Property Officers will verify validity of the back order.
- 1.5 Upon receipt, staff will have two weeks to process packages.

1.6 Clothing/food packages to inmates who have been transferred to another facility will be forwarded via Central Transportation to the inmates.

1.6.1 Packages will be returned to sender if inmate is no longer in NDOC custody.

1.7 Clothing/food packages will not be authorized for inmates who have unauthorized property pending disposal.

REFERENCES

ACA 3-4157, 3-4279 to 3-4281, 3-4393, 3-4435, 3-4437, 3-4438

ATTACHMENTS

DOC Form 1517	Unauthorized Property Notification
DOC Form 1520	Inmate Personal Property Card
DOC Form 1773	Inmate Inventory Transfer
DOC Form 1863	Property Transfer Manifest
DOC Form 3026	Inmate Personal Property Claim Form
DOC Form 3027	Property Claim Release Agreement

Jackie Crawford, Director

Date

CONFIDENTIAL

Yes

XX
No

THIS PROCEDURE SUPERCEDES ALL PRIOR WRITTEN PROCEDURES ON THIS SPECIFIC SUBJECT.